

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 DUSTIN COLLINS,

4 Plaintiff,

5 v.

6 CLARK COUNTY DETENTION CENTER,

7 Defendant.

Case No.: 2:24-cv-00523-GMN-BNW

8  
9 ORDER

10 On March 18, 2024, pro se plaintiff Dustin Collins, an inmate in the custody of the  
11 Nevada Department of Corrections, submitted a complaint under 42 U.S.C. § 1983 and  
12 applied to proceed *in forma pauperis*. (ECF Nos. 1, 1-1). Plaintiff's application to proceed  
13 *in forma pauperis* is incomplete because Plaintiff did not include a completed financial  
14 certificate and an inmate trust fund account statement for the previous six-month period  
15 with the application. The Court will deny Plaintiff's application without prejudice and give  
Plaintiff the opportunity to correct these deficiencies **by Monday, May 20, 2024**.

16 I. DISCUSSION

17 The United States District Court for the District of Nevada must collect filing fees  
18 from parties initiating civil actions. 28 U.S.C. § 1914(a). As of December 1, 2023, the fee  
19 for filing a civil-rights action is \$405, which includes the \$350 filing fee and the \$55  
20 administrative fee. See 28 U.S.C. § 1914(b). "Any person who is unable to prepay the  
21 fees in a civil case may apply to the court for leave to proceed *in forma pauperis*." Nev.  
22 Loc. R. Prac. LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate  
23 must submit **all three** of the following documents to the Court: (1) a completed  
24 **Application to Proceed in Forma Pauperis for Inmate**, which is pages 1–3 of the  
25 Court's approved form, that is properly signed by the inmate twice on page 3; (2) a  
26 completed **Financial Certificate**, which is page 4 of the Court's approved form, that is  
27 properly signed by both the inmate and a prison or jail official; and (3) a copy of the  
28 **inmate's prison or jail trust fund account statement for the previous six-month**

1 **period.** See 28 U.S.C. § 1915(a)(1)–(2); Nev. Loc. R. Prac. LSR 1-2. *In forma pauperis*  
2 status does not relieve an inmate of his or her obligation to pay the filing fee, it just means  
3 that the inmate can pay the fee in installments. See 28 U.S.C. § 1915(b).

4 As explained above, Plaintiff's application to proceed *in forma pauperis* is  
5 incomplete. The Court will therefore deny Plaintiff's application to proceed *in forma*  
6 *pauperis* without prejudice and grant Plaintiff an extension of time to either pay the filing  
7 fee or file a new fully complete application to proceed *in forma pauperis* with all three  
8 required documents.

9 **II. CONCLUSION**

10 It is therefore ordered that the application to proceed *in forma pauperis* (ECF No. 1)  
11 is denied without prejudice.

12 It is further ordered that Plaintiff has **until May 20, 2024**, to either pay the full \$405  
13 filing fee or file a new fully complete application to proceed *in forma pauperis* with all three  
14 required documents: (1) a completed application with the inmate's two signatures on page  
15 3, (2) a completed financial certificate that is signed both by the inmate and the prison or  
16 jail official, and (3) a copy of the inmate's trust fund account statement for the previous  
17 six-month period.

18 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if  
19 Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff  
20 to refile the case with the Court, under a new case number, when Plaintiff can file a  
21 complete application to proceed *in forma pauperis* or pay the required filing fee.

22 The Clerk of the Court is directed to send Plaintiff the approved form application to  
23 proceed *in forma pauperis* for an inmate and instructions for the same and retain the  
24 complaint (ECF No. 1-1) but not file it at this time.

25 DATED this 20th day of March 2024.  
26

27   
28 Benjamin Weksler  
UNITED STATES MAGISTRATE JUDGE